

**IN THE MICHIGAN COURT OF APPEALS**

**ORDER**

Re: **Alkafaji & Associates v Mounirah Abu-Aita**

Docket No. **295777**

L.C. No. **08-089884-CK**

William B. Murphy, Chief Judge, acting under MCR 7.203(F)(1), orders:

The claim of appeal is DISMISSED for lack of jurisdiction. MCR 7.203(F). The November 12, 2009, order dismissing the counter-complaint is not a final order appealable of right as defined in MCR 7.202(6)(a)(i) because plaintiff's complaint is still pending before the lower court. MCR 7.203(A). At this time, appellant may seek to appeal the order dismissing the counter-complaint only by filing a delayed application for leave to appeal under MCR 7.205(F).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

**FEB - 4 2010**

Date

*Sandra Schultz Mengel*  
Chief Clerk